

SENATE BILL 425

By Crutchfield

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 8; Title 9; Title 16; Title 41; Title 48; Title 50  
and Title 56, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-207(4)(A)(i), is amended by adding the following language at the end of the final grammatical sentence:

Notwithstanding any statute or court decision to the contrary, the statutory social security offset provided by this section shall have no applicability to death benefits awarded to a deceased worker's dependents pursuant to Tennessee workers' compensation law.

SECTION 2. Tennessee Code Annotated, Section 50-6-238(a), is amended by adding the following language at the end of the subsection as a new subdivision:

(a)

(6)

(A) Upon request, a workers' compensation specialist shall provide to the employee, the employer or insurer, or to any attorney representing either the employee or employer or insurer, copies of all information available to the specialist who is discharging the requirements of this subdivision, including, but not limited to, a copy of any written or electronic document(or documents), medical records, video or audio tapes, or any other information submitted by either the employee or employer or insurer in those instances when a specialist is considering ordering temporary disability and/or medical benefits.

(B) Neither party who supplies information or documents to a specialist to assist the specialist in discharging his or her responsibilities

related to the award of workers' compensation benefits pursuant to this subsection may request a specialist to maintain the information or documentation as confidential. Each party has the right to receive copies of any and all information upon which a specialist may rely when making a decision related to temporary disability and/or medical benefits.

(C) The provisions of this subdivision are not applicable to information or documents that are provided to a specialist during the mediation procedure required by the workers' compensation law to be conducted prior to a party's right to file a civil action pursuant to this chapter or any rules promulgated by the department of labor and workforce development.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.